

REMARKS

Claims 86, 89, 92, and 98-101 have been examined and stand rejected under 35 U.S.C. § 112, first paragraph. Claim 98 stands rejected under 35 U.S.C. § 112, second paragraph. By this Amendment, Applicant has amended claims 86, 89, 92, and 98-101. No new matter is added.

I. Claim Rejections - 35 U.S.C. § 112

A. 35 U.S.C. § 112, First Paragraph

Claims 86, 89, 92 and 98-101 stand rejected under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the written description requirement. In particular, the Examiner maintains that the element “whose value increases or decreases in correspondence to a reference level of the similarity” is new matter that was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention. The Examiner suggests the language “whose value increases or decreases in correspondence to the level of the similarity.”

Although Applicant does not necessarily agree with the Examiner’s position, as a path of least resistance, Applicant has amended claims 86, 89, 92, and 98, as suggested by the Examiner, to overcome the rejection. Applicant believes written description support for the Examiner’s suggested language is found at least at page 127, line 12 - page 128, line 8 of the original specification.

B. 35 U.S.C. § 112, Second Paragraph

Claim 98 is rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner maintains that claim 98 restates the similarity

computation means and the synthesis means with only one word being different (and vs. or), which is allegedly improper because it is unclear if further limitations have been added.

Applicant has amended claim 98 to delete the recited synthesis means, and clarify that the similarity computation means computes said similarity between said desired frame and at least one frame which is temporally before and one frame which is temporally after said desired frame. Thus, claim 98 adds the further limitation that the similarity is calculated between the desired frame and at least two frames (at least one before, and one after the desired frame).

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claim 98 under 35 U.S.C. § 112, second paragraph.

Applicant further notes that the claims have been amended to replace the term “motion vector” with “motion”, and the term “moving vector computation means” has been replaced by the term “motion computation means,” to improve clarity.

III. Allowable Subject Matter

Applicant thanks the Examiner for indicating that claims 87 [*sic*], 89, 92 and 98-101 would be allowable if the above rejections under 35 U.S.C. 112 were overcome.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: June 18, 2009